

Rejections under 35 USC §112(1).

The Examiner has rejected claims 1-11 as not enabled by the specification for the use of the method to treat all cartilage and bone pathologies. In reply the Applicants have amended the claims (other than claims 8-10) to clearly indicate the specific condition. Claims 8 –10 are specifically drawn to methods of stimulating ossification by osteoprogenitor cells and osteoblasts by administering a retinoid receptor antagonist; thus this method is clearly defined.

For this reason the Applicants respectfully request that the Examiner reconsider and withdraw this rejection.

Rejections pursuant to 35 USC §103

The Examiner has rejected claims 1-11 as allegedly obvious over the Margolis patent. Margolis discloses the use of a single retinoid, etreninate, for the treatment of osteoporosis. Applicants respectfully traverse this rejection as it may be held to apply to the claims as amended.

The claims are now drawn to methods of using retinoid receptor agonists for the treatment of specific bone disorders other than osteoporosis. The Margolis reference makes no suggestion that conditions other than osteoporosis may be such treated by administration of retinoids. Since a reference must provide motivation for a person of skill in the art to make the claimed invention in order to render the invention obvious, Margolis does not render the invention of the pending claims obvious.

For these reasons, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of these claims pursuant to 35 USC § 103(a).

CONCLUSION

Applicants believe the claims are in condition for allowance, and respectfully request the Examiner to issue a Notice to that effect. If there is any fee due in connection with this Reply, please use our Deposit Account 01-0885 for the payment of any such fee.

Respectfully submitted,

Date: 5/11/01

A handwritten signature in black ink, appearing to read "Carlos A. Fisher", written over a horizontal line.

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MARKED-UP COPY OF THE AMENDED CLAIMS

5. (Amended) 5. (Amended) A method for [ameliorating the symptoms associated with] treating a cartilage or bone pathology selected form the group consisting of a bone fracture, a congenital condition due to poor or retarded growth or ossification, spondyloepipheseal dysplasia congenita, skelatal dysplasia, multiple epiphyseal dysplasia, the method comprising administering to a patient having such pathology a therapeutically effective amount of a retinoid receptor agonist.